GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Home Dept. – Allegations of acquisition of assets disproportionate to the known sources of income against Sri Boyala Venkatesan, Special Grade Junior Assistant, O/o Superintendent of Police, Urban Police District, Tirupathi -Recommended for Prosecution – Examined – Proposal of sanction of Prosecution - Denied – Orders – Issued.

HOME (SC.A) DEPARTMENT

G.O.Ms.No.21.

Dated:19th February,2024
Read the following:-

1. From the Director General, ACB, A.P., Vijayawada, Lr. Rc.NO.67/RCA-TCT/2017.S-7, dt:05.09.2017. (Preliminary Report)
2. From the Director General, ACB, A.P., Vijayawada, Lr.Rc.NO.67/RCA-CT/2017, dt:05.09.2017
3. G.O.Ms.No.161, Home (SC.A) Department, dt:23.10.2017.
4. From the Director General, ACB, A.P., Vijayawada, Lr. Rc.NO.67/RCA-CT/2017, dt:30.11.2022.
5. Representation of Sri Boyala Venkatesan, Special Grade Junior Assistant, O/o Superintendent of Police, Urban Police District, Tirupathi,dt:08.12.2022
6. From the Director General, ACB, A.P., Vijayawada, Lr. Rc.NO.67/RCA-TCT/2017, Dt:13.04.2023.
7. From the O/o Chief Minister's Office, CMP No.7122/Secy(DR)/2024, dt:10.01.2024.

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ORDER:-

In the reference 1st read above, the Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada has stated that on credible information and as per the collected evidence, Sri Boyala Venkatesan, Special Grade Junior Assistant, O/o Superintendent of Police, Urban Police District, DPO Tirupathi, Chittoor District (Now Balaji District) have acquired and in possession of assets disproportionate to his known sources of legal income to the tune of Rs.2,32,01,933- 00.The AO was placed under suspension w.e.f.27-04-2017 vide order in D.O.No.482/2017, dt:2.5.2017 of SP, Chittoor, pursuant to registration of the DA case against him. Subsequently he was reinstate in to service vide Govt. Memo No.51/SC.A/A2/2016, dt:12.07.2019.

2. In the reference 2nd read above, the Director General, ACB, A.P., Vijayawada has proposed seeking authorization to file application in the court of the Special Judge for SPE & ACB Cases Nellore for attachment of properties of the AO Sri Boyala Venkatesan, Special Grade Junior Assistant, O/o Superintendent of Police, Urban Police District, DPO Tirupathi, Chittoor District.

3. In the reference 3rd read above, Govt. have issued orders to authorize the investigating office of ACB, for filing applications in the Court of the Special Judge for SPE & ACB Cases Nellore for attachment of properties worth Rs.2,69,96,030/-.

4. In the reference 4th read above, the Director General, ACB, A.P., Vijayawada in his final report has stated that the allegation of acquisition of assets disproportionate to his known sources of income is held substantiated against the AO Sri Boyala Venkatesan, Special Grade Junior Assistant, O/o Superintendent of Police, Urban Police District, DPO Tirupathi, Chittoor District and the DG, ACB has recommended (1) for the prosecution of the AO under Sec.13(2) r/w 13 (1)(e) of the P.C.Act, 1988 and (2) for the departmental action against the AO for violation of Rule 8(1)(b), 9(1),9(2),9(7), 10(1-A) r/w 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

(P.T.O.)

5. In the reference 5th read above, the AO Sri Boyala Venkatesan, Special Grade Junior Assistant, O/o Superintendent of Police, Urban Police District, DPO, Tirupathi has stated that he was appointed as "Record Assistant" on 1.5.1989 on compassionate appointment and subsequently he was promoted as "Junior Assistant" in May, 2010. The AO has stated that he never dealt with the matters of public interest pertaining to the general public and did not work in any of the focal postings and never or ever indulged in corrupt practice. There is no instance of his involvement in dubious practices that have come to light earlier nor un-earthed during investigation of case. He has therefore, requested to drop further action against him duly considered of all the facts and figures mentioned in his representation/explanation.

6. In the reference 6th read above, the Director General, ACB has stated that the contentions made by the AO are not correct, the percentage of DA of the AO is 236.65% and therefore the claim of AO is not acceptable. The Director Genereal, ACB, has therefore requested that sanction may be accorded for prosecution of AO in a court of law.

7. Government after careful examination of the matter, with reference to the information made available on record, has observed that the individual was Record Assistant on compassionate grounds for 21 years and Junior Assistant for 7 years in District Police Office. The Structure of these posts cannot make any exposure for abuse of office to amass wealth in excess. When he was put to Departmental inquiry the particular charge that acquired property by illegal means was held not proved. The criminal trial on the charge of collecting money from Public for providing Jobs was also ended in acquittal on the file of JFCM Court. Tirupati. Therefore the case does not possess substantial material to prosecute the case.

8. Accordingly, in exercise of powers conferred under Section 19 of the Prevention of Corruption Act, 1988, it has been concluded that it is not a fit case to prosecute the Accused Officer Sri Boyala Venkatesan, Special Grade Junior Assistant, So/o Supdt. of Police, Urban Police District, DPO, Tirupathi (Erstwhile Chittoor Dist.) in court of Law and therefore the request of Director General, ACB, A.P., Vijayawada for sanction of prosecution is denied. The further action in the matter against the above Accused Officer in ACB case in Cr.No.2/RCA-TCT/2017 under Sec. 13(2) r/w 13 (1)(e) of the Prevention of Corruption Act, 1988 regarding prosecution is hereby dropped.

9. The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, ACB, A.P., Vijayawada.
Copy to:
The A.P. Vigilance Commission, AP Secretariat, Velagapudi.
The OSD to Hon'ble Minister(Home)

//FORWARDED::BY ORDER//

K Padmavathi.
SECTON OFFICER(SC)